





Immigration and Naturalization Service  
Philadelphia District  
1600 Callowhill Street  
Philadelphia, PA 19130

TO: Executive Office for Immigration Review  
Office of the Immigration Judge  
3434 Concord Road  
York, PA 17402

RE: PHI / DETAINED ALIENS

Alien's Name: RUSSELL, NEVILLE

Alien #: 75-805-774 Country: JAMAICA

Detained at:

☒ York Co. Prison  
3400 Concord Rd.  
York, PA 17402

☐ Berks Co. Prison  
RD 1 1248 County Rd.  
Leesport, PA 19633

☐ Snyder Co. Prison  
600 Old Colony Rd.  
Selinsgrove, PA 17870

☐ Lehigh Co. Prison  
88 N. 4<sup>th</sup> Street  
Allentown, PA 18102

NTA/I-286 Served on EOIR on: 4/24/99

Alien Request:

☐ Prompt Hearing

☒ Bond Redetermination

☐ Other \_\_\_\_\_

**RUSH**  
**DETAINED AT GOVERNMENT EXPENSE**

EXHIBIT 1

U.S. Department of Justice  
Immigration and Naturalization Service

Notice to Appear

In removal proceedings under section 240 of the Immigration and Nationality Act

File No. A75 805 774

In the Matter of:

Respondent:

RUSSELL, Neville

currently residing

NYC Correctional Institution for Men; Bldg C-76; 10-10 Hazen Street; East Elmhurst, NY 11370

(Number, street, city, state and zip code)

(Area code and phone number)

AKA: ☐ NO ☒ YES - SEE ATTACHED I-831

- ☐ 1. You are an arriving alien.  
☐ 2. You are an alien present in the United States who has not been admitted or paroled.  
☒ 3. You have been admitted to the United States, but are deportable for the reasons stated below.

The Service alleges that you:

SEE ATTACHED I-831 FOR ALLEGATIONS

On the basis of the forgoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

SEE ATTACHED I-831 FOR PROVISION(S) OF LAW

- ☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution.  
☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8 CFR 208.30(f)(2) ☐ 8 CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

TO BE CALENDARED AND NOTICE PROVIDED BY THE OFFICE OF THE IMMIGRATION JUDGE

(Complete Address of Immigration Court, including Room Number, if any)

on

TO BE CALENDARED AND NOTICE  
PROVIDED BY THE OFFICE OF THE  
IMMIGRATION JUDGE

at

TO BE CALENDARED AND NOTICE  
PROVIDED BY THE OFFICE OF THE  
IMMIGRATION JUDGE

to show why you should not be removed from the  
United States based on the charge(s) set forth above.

(Date)

(Time)

James J. Mooney  
Acting Deputy Assistant District Director for Investigation  
(Signature and Title of Issuing Officer)

New York, New York  
(City and State)

Date: 01/14/99

## Notice to Respondent

**Warning:** Any statement you make may be used against you in removal proceedings.

**Alien Registration:** This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

**Representation:** If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 C.F.R. 3.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this Notice.

**Conduct of the hearing:** At the time of your hearing, you should bring with you any affidavits or other documents which you desire to have considered in connection with your case. If any document is in a foreign language, you must bring the original and a certified English translation of the document. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear and that you are inadmissible or deportable on the charges contained in the Notice to Appear. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge.

You will be advised by the immigration judge before whom you appear, of any relief from removal for which you may appear eligible including the privilege of departing voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

**Failure to appear:** You are required to provide the INS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the INS.

### Request for Prompt Hearing

To expedite a determination in my case, I request an immediate hearing. I waive my right to have a 10-day period prior to appearing before an immigration judge.

Before:

(Signature of Respondent)

Date:

(Signature and Title of INS Officer)

### Certificate of Service

This Notice to Appear was served on the respondent by me on 1-19-99, in the following manner and

(Date)

compliance with section 239(a)(1)(F) of the Act:

☒ in person

☒ by certified mail, return receipt requested

☐ by regular mail

☐ Attached is a list of organizations and attorneys which provide free legal services.

☐ The alien was provided oral notice in the English language of the time and place of his or her hearing and of consequences of failure to appear as provided in section 240(b)(7) of the Act.

(Signature of Respondent if Personally Served)

(Signature and Title of Officer)

**U.S. Department of Justice**  
**Immigration and Naturalization Service**

Continuation Page for Form **I-862**

Alien's Name <b>RUSSELL, Neville</b>	File Number <b>A75 805 774</b>	Date <b>January 14, 1999</b>
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**ALLEGATIONS:**

1. You are not a citizen or national of the United States; **A**
2. You are a native of Jamaica and a citizen of Jamaica; **A**
3. You were admitted to the United States at New York, New York, on or about July of 1990, as a non-immigrant visitor for pleasure with permission to remain in the United States for a temporary period not to exceed six months; **A**
4. You remained thereafter in the United States without authorization from the Immigration and Naturalization Service;
5. You were convicted of the crime of Criminal Possession of a Marijuana in the Third Degree, in violation of Section 221.20 of the New York State Penal Law, pursuant to a judgement entered on or about November 10, 1998, by the Supreme Court of the State of New York, County of Queens under Indictment Number N10014-98. **A**

**CHARGES:**

Section 237(a)(1)(B) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you have remained in the United States for a time longer than permitted. **X**

Section 237(a)(2)(B)(i) of the Immigration and Nationality Act (Act), as amended, in that, at any time after admission, you have been convicted of a violation of (or a conspiracy or attempt to violate) any law or regulation of a State, the United States, or a foreign country relating to a controlled substance (as defined in Section 102 of the Controlled Substances Act [21 U.S.C. 802]), other than a single offense involving possession for one's own use of 30 grams or less of marijuana. **X**

**AKA: RUSSELL, Neville M.; RUSSLEE, Neville M; RUSSEL, Neville; RODRIGUEZ, Jesus; HALEY, Winston M..**

Signature

Title

Acting Deputy Assistant District Director for Investigations



U.S. Department of Justice  
Immigration and Naturalization Service

# Warrant for Arrest of Alien

File No. A75 805 774

Date: 01/14/99

To any officer of the Immigration and Naturalization Service delegated authority pursuant to section 287 of the Immigration and Nationality Act:

From evidence submitted to me, it appears that:

RUSSELL, Neville

(Full name of alien)

an alien who entered the United States at or near New York, New York on July 1990 (Date) is within the country in violation of the Immigration laws and is

therefore liable to being taken into custody as authorized by section 236 of the Immigration and Nationality Act.

By virtue of the authority vested in me by the immigration laws of the United States and the regulations issued pursuant thereto, I command you to take the above-named alien into custody for proceedings in accordance with the applicable provisions of the immigration laws and regulations.

James J. Mooney  
(Signature of authorized INS official)

James J. Mooney  
(Print name of official)

Acting Deputy Assistant District Director for Investigations, NY NY  
(Title)

## Certificate of Service

Served by me at 261 North Street, Apt 10-01 on 2/23/99 at 2:20 am.

I certify that following such service, the alien was advised concerning his or her right to counsel and was furnished a copy of this warrant.

[Signature]  
(Signature of officer serving warrant)

(Title of officer serving warrant)

U.S. Department of Justice  
Immigration and Naturalization Service

# Notice of Custody Determination

Name: Russell, Neville	Date: 02/23/1999	File Number: A75 805 774
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Pursuant to the authority contained in section 236 of the Immigration and Nationality Act and part 236 of Title 8, Code of Federal Regulations, I have determined that pending a final determination by the immigration judge in your case, and in the event you are ordered removed from the United States, until your departure is effected, you shall be:

☒ detained in the custody of this Service.

☐ released under bond in the amount of \$ \_\_\_\_\_.

☐ released on your own recognizance.

☐ You may request a review of this determination by an immigration judge. ☒ You may not request a review of this determination by an immigration judge because the Immigration and Nationality Act prohibits your release from custody.

*Acting* \_\_\_\_\_  
(Signature of Issuing Officer)  
Deputy Assistant District  
Director For Detention and Deportation  
(Name and Title of Issuing Officer)  
  
New York/New York  
(INS Office of Issuance)

☒ I do ☐ I do not request a redetermination of this custody decision by an immigration judge.

☒ I acknowledge receipt of this notification.

*X Russell*  
(Signature of respondent)

*2/23/1999*  
(date)

## RESULT OF CUSTODY DETERMINATION

On \_\_\_\_\_, 19\_\_\_\_, custody status/conditions for release were reconsidered by:

☐ Immigration Judge      ☐ District Director      ☐ Board of Immigration Appeals

The results of the redetermination/reconsideration are:

☐ No change--Original determination upheld.      ☐ Release--Order of Recognizance  
☐ Detain in custody of this Service.      ☐ Release--Personal Recognizance  
☐ Bond amount reset to: \_\_\_\_\_      ☐ Other: \_\_\_\_\_

NYSP HIQR KINS  
INPUT SEQUENCE NUMBER C 0 HAS BEEN CORRECTED TO 09

N 0904-0904 12/15/98 ROSQ# KINS 38410 RDSQ# 03050670 PART 001 OF 001  
DCJS HIQR KINS 0905  
07099

COMPUTER RESPONSE - DCJS RECORDS INDICATE THE III STATUS IS  
UNKNOWN. SUBMIT A TYPE 2 INQUIRY TO NCIC III TO DETERMINE IF  
CHRI IS AVAILABLE THROUGH III.KINS07099

KINS HIQR DCJS  
07096 FILE 15 TYPE 3 RAP REQUEST DCJS (AND NCIC) OR SINGLE EVENT PUR/C & F  
.OPERATOR/.LOG/KINS.CONFIDENTIAL LOG/N  
.COURT CONTROL#/\* .EVENT DATE/\*  
.PUR/C.REASON/CRI.ORI/NYINSNYSO.CASE#/ANYC  
.NAM/CASTILLO,CARLOS  
.SID/NY8710412Y.NCIC III/Y  
.REQUESTOR'S NAME/COLON,H  
.COMMENTS/CRIMINVST

E 0904-0904 12/15/98 ROSQ# KINS 38419 RDSQ# 03051132 PART 001 OF 001  
NYSP HIQR KINS  
INPUT SEQUENCE NUMBER 07096 HAS BEEN CORRECTED TO 07100

N 0904-0904 12/15/98 ROSQ# KINS 38420 RDSQ# 03051507 PART 001 OF 001  
DCJS HIQR KINS 0905  
07100

COMPUTER RESPONSE - DCJS RECORDS INDICATE THE III STATUS IS  
UNKNOWN. SUBMIT A TYPE 2 INQUIRY TO NCIC III TO DETERMINE IF  
CHRI IS AVAILABLE THROUGH III.KINS07100



N 0904-0905 12/15/98 ROSQ# KINS 38421 RDSQ# 03052143 PART 001 OF 005  
NCJS HIST KINS 0905

FILE 15 DCJS ALBANY NY001015Y DEC 15, 1998 REPLY

TO

MESA 07099 FILED 12-15-98

DATE 12-15-98

STATE OF NEW YORK

TRAN NO 07099

TIME 0903

DIVISION OF CRIMINAL JUSTICE SERVICES

PAGE 1

FAX NO

CONFIDENTIAL TO:

IMM NAT SVC

DOB 09-21-60

26 FEDERAL PLAZA RM 11130

RAC BLACK

NEW YORK

NY

SEX MALE

10278 0004

HGT 5-09

SOC

[983005Z ]

FBI 524070EB2

INPUT NAME RUSSELL, NEVILLE

! NYSID 8587311Y! III NYS ONLY

NAMES USED BY SUBJECT

[REMOTE INQUIRY

RUSSELL, NEVILLE M

RUSSEL, NEVILLE

RUSSLEE, NEVILLE M

RODRIGUEZ, JESUS

< < < < < CRIMINAL HISTORY > > > > >

! ARREST ! INFORMATION	! ARREST/ARRAIGNMENT CHARGES	! DISPOSITION AND ! RELATED DATA
ARR DT/PL 10-29-97!	- - ARREST - -	! - - DISPOSITION - -
NYCPD 113	! CRIM POSS MARIHUANA-3RD:8 OZ	! 11-10-98 SUP CRT QUEENS CO
	! PL 221.20 NO SUB	! IND # N10014-98
CRM DATE: 10-29-97!	! CLASS E FEL NCIC 3599!	! CONVICTED UPON PLEA OF GUILTY
CRIME PLACE:		
NYCPD 113	! CRIM SALE MARIHUANA-4TH	! THE FOLLOWING CHARGE(S):
	! PL 221.40 NO SUB	! CRIM POSS MARIHUANA-3RD:8 OZ
ARR#/AGY Q97053558!	! CLASS A MISD NCIC 3599!	! PL 221.20 NO SUB
NYCPD PCT 113		! CLASS E FEL NCIC 3599!
CRT CON# 50256678L!	- - ARRAIGNMENT - -	! SENT 6 MONTHS
		! LICENSE SUSPENDED 6 MONTHS
FAX NO QD40296	! CRIM POSS MARIHUANA-3RD:8 OZ	! SENTENCED ON 11-10-98
ORACLE # 17530943	! PL 221.20 NO SUB	
	! CLASS E FEL NCIC 3599!	
	! CRIM POSS MARIHUANA-3RD:8 OZ	
	! PL 221.20 NO SUB	! 10-30-97 CRIM CRT QUEENS
	! CLASS E FEL NCIC 3599!	! DKT # 97Q049433
	! CRIM SALE MARIHUANA-4TH	! INITIAL REPORT OF DOCKET
	! PL 221.40 NO SUB	! NUMBER
	! CLASS A MISD NCIC 3599!	
		! 10-30-97 CRIM CRT QUEENS
		! DKT # 97Q049433
		! ARRAIGNED

N 0904 0905 12/15/98 ROSQ# KINS 3842; ROSQ# 03052140 PART 002 OF 005  
 DATE 12-15-98 PAGE 2  
 NAME RUSSELL, NEVILLE NYSD 855731Y TRAN NO 12099

< < < < < CRIMINAL HISTORY > > > > >

ARREST INFORMATION	ARREST/ARRAIGNMENT CHARGES	DISPOSITION AND RELATED DATA
		IND # N10014-98 BENCH WARRANT ISSUED, CONVICTED, SENTENCE PENDING
		10-19-98 SUP CRT QUEENS CO IND # N10014-98 RETURNED ON WARRANT
ARR DT/PL 11-25-97! NYCPD 113	- - ARREST - - !CRIM SALE MARIHUANA-4TH !PL 221.40 NO SUB	DISPOSITION 11-26-97 CRIM CRT QUEENS DKT # 97Q054003
CRM DATE: 11-25-97! CRIME PLACE: NYCPD 113	CLASS A MISD NCIC 3599	CONVICTED UPON PLEA OF GUILTY
	- - ARRAIGNMENT - -	THE FOLLOWING CHARGE(S): DISORDERLY CONDUCT
ARR#/AGY Q97058428! NYCPD PCT 113	!CRIM SALE MARIHUANA-4TH !PL 221.40 NO SUB	!PL 240.20 NO SUB VIOL NCIC 531
CRT CON# 50280757N!	CLASS A MISD NCIC 3599	CONDITIONAL DISCHARGE COMMUNITY SERVICE 10 DAYS SENTENCED ON 11-26-97
FAX NO QD44361 ORACLE # 17630943		10-19-98 CRIM CRT QUEENS DKT # 97Q054003 RESENTENCED
		CONDITIONAL DISCHARGE SENTENCED ON 10-19-98
		11-26-97 CRIM CRT QUEENS DKT # 97Q054003 ARRAIGNED
		01-27-98 CRIM CRT QUEENS

(CONT. NEXT PAGE)

N 0904-0905 12/15/98 ROSQ# KINS 38421 RDSQ# 03052143 PART 003 OF 005  
 DATE 12-15-98 PAGE 3  
 NAME RUSSELL, NEVILLE NYSID 8587311Y TRAN NO 07029

## &lt; &lt; &lt; &lt; &lt; CRIMINAL HISTORY &gt; &gt; &gt; &gt; &gt;

! ARREST INFORMATION !	! ARREST/ARRAIGNMENT CHARGES !	! DISPOSITION AND RELATED DATA !
		10-19-98 CRIM CRT QUEENS DKT # 97Q054003 RETURNED ON WARRANT
ARR DT/PL 12-23-97! NYCPD 113	- - ARREST CRIM SALE MARIHUANA-4TH PL 221.40 NO SUB	- - DISPOSITION 12-24-97 CRIM CRT QUEENS DKT # 97Q058526
CRM DATE: 12-23-97! CRIME PLACE: NYCPD 113	CLASS A MISO NCIC 3599 C/P MARIHUANA-5TH:PUBLIC PLACE PL 221.10 SUB 01	CONVICTED UPON PLEA OF GUILTY THE FOLLOWING CHARGE(S): DISORDERLY CONDUCT
ARR#/AGY Q97063216! NYCPD PCT 113	CLASS B MISO NCIC 3599	PL 240.20 NO SUB VIOL NCIC 531
CRT CON# 50304977H!	- - ARRAIGNMENT - -	CONDITIONAL DISCHARGE COMMUNITY SERVICE 15 DAYS SENTENCED ON 12-24-97
FAX NO 0005874 ORACLE # 16840443	CRIM SALE MARIHUANA-4TH PL 221.40 NO SUB CLASS A MISO NCIC 3599 C/P MARIHUANA-5TH:PUBLIC PLACE PL 221.10 SUB 01 CLASS B MISO NCIC 3599	10-19-98 CRIM CRT QUEENS DKT # 97Q058526 RESENTENCED CONDITIONAL DISCHARGE SENTENCED ON 10-19-98 12-24-97 CRIM CRT QUEENS DKT # 97Q058526 ARRAIGNED 18-98 CRIM CRT QUEENS

(CONT. NEXT PAGE)

N 0904-0905 12/15/98 RDSQ# RINL 30421 RDSQ# 02052143 PART 004 OF 005  
 DATE 12 15 98 PAGE 4  
 NAME RUSSELL, NEVILLE NYSD 3587311Y TRAN NO 07099

( ( ( ( ( ( CRIMINAL HISTORY ) ) ) ) ) )

ARREST INFORMATION	ARREST/ARRAIGNMENT CHARGES	DISPOSITION AND RELATED DATA
		10-19-98 CRIM CRT QUEENS DKT # 970058526 RETURNED ON WARRANT
ARR DT/PL 10-16-98! NYCPD 46	- - ARREST - - CRIM SALE MARIHUANA-4TH PL 221.40 NO SUB	- - DISPOSITION - - 10-17-98 CRIM CRT BRONX DKT # 98X066371
CRM DATE: 10-16-98! CRIME PLACE: NYCPD 46	CLASS A MISD NCIC 3599	CONVICTED UPON PLEA OF GUILT
ARR#/AGY B98068700! NYCPD PCT 046	C/P MARIHUANA-5TH:PUBLIC PLACE PL 221.10 SUB 01 CLASS B MISD NCIC 3599	THE FOLLOWING CHARGE(S): CRIM SALE MARIHUANA-4TH PL 221.40 NO SUB CLASS A MISD NCIC 35
CRT CON# 50581763H!	- - ARRAIGNMENT - -	SENT TIME SERVED SENTENCED ON 10-17-98
FAX NO 8025932 ORACLE # 17540946	CRIM SALE MARIHUANA-4TH PL 221.40 NO SUB CLASS A MISD NCIC 3599	
	C/P MARIHUANA-5TH:PUBLIC PLACE PL 221.10 SUB 01 CLASS B MISD NCIC 3599	10-17-98 CRIM CRT BRONX DKT # 98X066371 ARRAIGNED

( ( ( ( ( ( OTHER INFORMATION ) ) ) ) ) )

LATEST UPDATED PERSONAL DESCRIPTORS: EYES/BROWN HAIR/BLACK WGT 165 LB

NCIC FINGERPRINT CLASSIFICATION P06412POP010PM14PMPI

DOB INFO! SEPT 21,1963 ! SEPT 21,1964 ! SEPT 21,1960

POB INFO! UNKNOWN ! JAMAICA ! JAPAN

NAME AND! REPORTED ON ! INFORMATION  
 ADDRESS!

OCT 29,1997! RUSSELL, NEVILLE M  
 132 MOTT AVE

FAR ROCKAWY NEW YORK

1622	BCH 22 ST.	QUEENS	NEW YORK
OCT 10, 1998	PRIGUEZ, JESUS	BRONX	NEW YORK
1286 E	BURNSIDE AV		

(CONT. NEXT PAGE)

N 0904-0905 12/15/98 ROSQ# KINS 08421 RDSQ# 03052143 PART 005 OF 005  
 DATE 12-15-98 PAGE 5  
 NAME RUSSELL, NEVILLE NYSID 8587311Y TRAN NO 07072

< < < < < < OTHER INFORMATION > > > > > > >

! TYPE ! INFORMATION

WHERE AN INDIVIDUAL IS SENTENCED JUNE 1, 1981, OR LATER, ON MORE THAN ONE CHARGE WITHIN A DOCKET, THE SENTENCES MAY BE CONSIDERED TO BE CONCURRENT UNLESS IDENTIFIED AS CONSECUTIVE.

THIS RESPONSE IS BASED ON A NYSID NUMBER SUPPLIED BY YOUR AGENCY.

ALL ENTRIES ARE AS COMPLETE AS THE DATA FURNISHED TO DCJS.  
 KATHERINE N. LAPP, COMMISSIONER



THE CITY OF NEW YORK  
DEPARTMENT OF CORRECTION  
N.Y.C. CORRECTIONAL INSTITUTION FOR MEN  
10-10 HAZEN STREET  
EAST ELMHURST, N.Y. 11370

MICHAEL P. JACOBSON  
COMMISSIONER

GLEN SYLVES  
WARDEN

CERTIFICATION  
NEW YORK CITY DEPARTMENT OF CORRECTION  
CORRECTIONAL INSTITUTION FOR MEN

DATE: 11/19/98

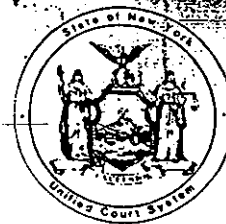
TO: IMMIGRATION US INS INVESTIGATIONS

SUBJECT: CERTIFICATION

I, Glenn London an employee of the New York City Department of Correction, Correctional Institution For Men, and hereby certify that this document is an exact duplicate of the original record contained within the inmate's records and that it is a true and accurate copy.

Glenn London  
Name/Title  
Date: 11/19/98

NEW YORK STATE SUPREME COURT  
Queens County, Part N60



## SENTENCE &amp; COMMITMENT

THE PEOPLE OF THE STATE OF NEW YORK									
VS.									
<u>Neville Russell</u>									
<u>M</u>	<u>9-21-63</u>	<u>8</u>	<u>5</u>	<u>8</u>	<u>7</u>	<u>3</u>	<u>1</u>	<u>1</u>	<u>4</u>
SEX	DOB	NYSID NUMBER							

Ind. No: N10014-98Date: 11-10-98Hon: Cross

Justice.

Court Reporter: DUNNOM

The defendant having been

☒ convicted of the crime(s) of:☒ adjudicated a Youthful Offender:

Pls Sec crime(s)

221-2d CPM 30  
MARIJUANA

It is the Judgment of the Court that the defendant be and hereby is sentenced to

☐ an indeterminate term of

imprisonment which shall have a:

☒ definite term of imprisonment of☐ determinate term of imprisonment of(specify days,  
mos. or yr.)

min term (yrs)

max term (yrs)

SIX MONTHS

as a

☐ second felony offender☐ second violent felony offender☐ persistent felony offender☐ persistent violent felony offender☐ juvenile Offender—date crime committed☐ violent felony offender with prior nonviolent felony offense

and/or

☐ pay a fine of \$ \_\_\_\_\_ or serve a term of \_\_\_\_\_ days

and that this sentence shall run concurrently with

consecutive to

The defendant shall pay:

☒ a surcharge of \$ 150 or serve a term of \_\_\_\_\_ days☒ a Crime Victim Assistance Fee of \$ 5☐ from inmate funds☐ from inmate funds

The defendant is hereby committed to the custody of the New York City Department of Correction to be delivered to:

☐ New York State Department of Correctional Services until released according to law.☒ New York City Correctional Institution for Men/Women until released according to law.☐ New York State Division for Youth to be housed in a secure facility until released according to law.☐ Court directs sentence to be executed as a sentence of parole supervision.

Defendant's home address:

32 Motte Ave Far Rockaway NY  
(number & street) (city, state, zip)

REMARKS:

Hon. Gloria D'Amico  
Clerk of the CourtJoseph P. Hughes  
Court Clerk

(print name)

(signature)

IMMIGRATION COURT  
3434 CONCORD ROAD  
YORK, PA 17402

In the Matter of

RUSSELL, NEVILLE  
Respondent

Case No.: A75-805-774

IN REMOVAL PROCEEDINGS

ORDER OF THE IMMIGRATION JUDGE

This is a summary of the oral decision entered on .  
This memorandum is solely for the convenience of the parties. If the proceedings should be appealed or reopened, the oral decision will become the official opinion in the case.

- ☒ The respondent was ordered removed from the United States to *to nara* or in the alternative
- ☐ Respondent's application for voluntary departure was denied and respondent was ordered removed to alternative to
- ☐ Respondent's application for voluntary departure was granted until upon posting a bond in the amount of \$ \_\_\_\_\_ with an alternate order of removal to
- ☐ Respondent's application for asylum was ( ) granted ( ) denied ( ) withdrawn.
- ☐ Respondent's application for withholding of removal was ( ) granted ( ) denied ( ) withdrawn.
- ☐ Respondent's application for cancellation of removal under section 240A(a) was ( ) granted ( ) denied ( ) withdrawn.
- ☐ Respondent's application for cancellation of removal was ( ) granted under section 240A(b)(1) ( ) granted under section 240A(b)(2) ( ) denied ( ) withdrawn. If granted, it was ordered that the respondent be issued all appropriate documents necessary to give effect to this order.
- ☐ Respondent's application for a waiver under section \_\_\_\_\_ of the INA was ( ) granted ( ) denied ( ) withdrawn or ( ) other.
- ☐ Respondent's application for adjustment of status under section \_\_\_\_\_ of the INA was ( ) granted ( ) denied ( ) withdrawn. If granted, it was ordered that respondent be issued all appropriate documents necessary to give effect to this order.
- ☐ Respondent's status was rescinded under section 246.
- ☐ Respondent is admitted to the United States as a \_\_\_\_\_ until \_\_\_\_\_
- ☐ As a condition of admission, respondent is to post a \$ \_\_\_\_\_ bond.
- ☐ Respondent knowingly filed a frivolous asylum application after proper notice.
- ☐ Respondent was advised of the limitation on discretionary relief for failure to appear as ordered in the Immigration Judge's oral decision.
- ☐ Proceedings were terminated.
- ☐ Other: \_\_\_\_\_

Date:

Appeal: WAIVED Appeal Due By:

*April 11, 1999*

*[Signature]*  
WALTER A. DURLING  
Immigration Judge

RYS

*March 16, 1999*

EXHIBIT 4



U.S. Department of Justice  
Immigration and Naturalization Service

1600 Callowhill Street  
Philadelphia, PA 19130

April 19, 1999

Lincoln Downer  
Consulate of Jamaica  
767 3<sup>rd</sup> Avenue  
New York, NY 10017

Dear Mr. Downer,

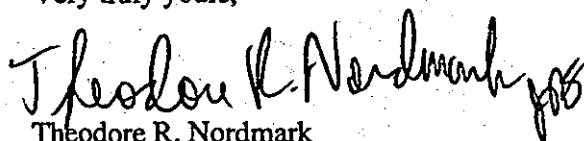
Please accept this letter with the enclosed documents as a formal request for an emergency travel document on behalf of Neville RUSSELL, a native and citizen of Jamaica.

Mr. Russell entered the United States at New York, NY in July of 1990. On or about 11/10/98, Mr. Russell was convicted by the Supreme Court of the State of New York for Criminal Possession of a Controlled Substance. He appeared before an Immigration Judge on March 16, 1999 to answer the charges on the attached notice to Appear. On this date, he was ordered deported from the United States by the Immigration Judge. *See attached Removal Order.* Mr. Russell reserved his right to appeal the decision in his case. However, after the 30 day appeal window he had not filed for an appeal thus, his order by the Immigration Judge became final.

Mr. Russell will be scheduled to depart the United States upon receipt of a travel document. Once confirmed, a copy of his itinerary will be sent to you if so requested. Because Mr. Russell is detained at Service expense, a prompt response would be most appreciated.

Should you need any further information to assist you in this or any other matter, please contact Deportation Officer Jeffrey D. Lynch at 717-840-7245 or fax 717-840-7254.

Very truly yours,

  
Theodore R. Nordmark  
Assistant District Director for Deportation

enclosure: Notice to Appear  
Order of Immigration Judge  
I-217  
Eight Photographs  
Fingerprints

EXHIBIT 5



U.S. Department of Justice  
Immigration and Naturalization Service

1600 Callowhill Street  
Philadelphia, PA 19130

June 1, 1999

Lincoln Downer  
Consulate of Jamaica  
767 3<sup>rd</sup> Avenue  
New York, NY 10017

Dear Mr. Downer,

On April 19, 1999 a travel document packet was mailed to you by this office requesting an emergency travel document for Mr. Neville Russell. Mr. Russell's family has since provided an original Birth Registration Form #8016 to expedite his removal to Jamaica.

I am forwarding this document to you for assistance in the travel document issuing process. I hope this additional documentation will make your job easier and possibly expedite the issuance of a travel document with which Mr. Russell can return home.

Should you need any further information to assist you in this or any other matter, please contact Deportation Officer Jeffrey D. Lynch at 717-840-7245 or fax 717-840-7254.

Very truly yours,

A handwritten signature in cursive script, reading "Jeffrey D. Lynch", is written over the typed name.

Jeffrey D. Lynch  
Deportation Officer

EXHIBIT 6





U.S. Department of Justice  
Immigration and Naturalization Service  
Philadelphia District

1600 Callowhill Street  
Philadelphia, PA 19130

November 3, 1999

USINS - HQOPS / DDP  
801 I Street, NW  
Suite 800 - Attn.: Ellarine Alston  
Washington, D.C. 20536

Dear Ms. Alston,

Please accept this letter as a follow-up letter to a previously submitted formal request for an emergency travel document on behalf of Neville RUSSELL, A75 805 774, a native and citizen of Jamaica.

A formal request for a travel document was submitted to the Jamaican Consulate in New York on April, 19, 1999, with a follow-up request again done on June 1, 1999. This office has received no response as of this date. If possible, this office would be interested in knowing the status of the case in regards to the issuance of the travel document so that we may update our records. This information is also helpful when corresponding with Mr. Russell.

Once the Jamaican Embassy or Consulate notifies the Service that a travel document is ready to be issued, an itinerary will be scheduled and confirmed and submitted to the office issuing the travel document. Because Mr. Russell is detained at Service expense, and he is the subject of a final order of removal, the prompt issuance of a travel document is important.

Should you need any further information to assist you in this or any other matter, please contact Deportation Officer Jeffrey D. Lynch at 717-840-7245 or fax 717-840-7254.

Very truly yours,

*Theodore R. Nordmark*

Theodore R. Nordmark  
Assistant District Director for Deportation



U.S. Department of Justice

Immigration and Naturalization Service  
Philadelphia District

RUSSELL, Neville  
C/O York County Prison  
53311  
3400 Concord Road  
York, PA 17402

1600 Callowhill Street  
Philadelphia, PA 19130  
A75 805 774

### Notice to Alien of File Custody Review

You are detained in the custody of the Immigration and Naturalization Service (INS) and you are required to cooperate with the INS in effecting your removal from the United States. If the INS has not removed you from the United States within the removal period as set forth in INA 241(a) (normally 90-days) of either: 1) your entering INS custody with a final order of removal, deportation or exclusion, or 2) the date of any final order you receive while you are in INS custody, the INS District Director will review your case for consideration of release on an Order of Supervision. Release, however, is dependent on your demonstrating by "clear and convincing evidence" that you will not pose a danger to the community and will not be a significant flight risk.

Your custody status will be reviewed on or about: February 5, 2000. The District Director may consider, but is not limited to considering the following:

1. The nature and seriousness of your criminal convictions;
2. Other criminal history;
3. Sentence(s) imposed and time actually served;
4. History of escapes, failures to appear for judicial or other proceedings, and other defaults;
5. Probation history;
6. Disciplinary problems while incarcerated;
7. Evidence of rehabilitative effort or recidivism;
8. Equities in the United States;
9. Prior immigration violations and history; and
10. Cooperation in obtaining your travel document.

You may submit any documentation you wish to be reviewed in support of your release, prior to the date listed above, to the attention of the Officer and address below. English translations must be provided pursuant to 8 CFR 103.2(b)(3). An attorney or other person may submit materials on your behalf.

U.S. Department of Justice  
Immigration and Naturalization Service  
Attn: Joel T. Mikelson Deportation Officer  
3400 Concord Road  
York, PA 17402

#### METHOD OF SERVICE

I certify that this form was provided to the alien by:  
( ) CC: Attorney of Record or Designated Representative  
(X) CC: A-file

(Hand)

(Institution Mail)

  
Signature of Officer

Joel T Mikelson po  
Print Name of Officer

1/5/2000  
Date

NEVILLE RUSSELL ( A 75 805774)

3400 CONCORD RD.

YORK PA. 17402

JANUARY 21, 00.

UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION & NATURALIZATION SERVICE

ATT. : OFFICER JOEL T. MIKELSON

3400 CONCORD ROAD .

YORK PA. 17402.

I am writing in respect of my custody status review which will be coming up on FEBRUARY 5,00. I have already send a request to the DISTRICT DIRECTOR for SUPERVISION RELEASE in which a copy is hereby forwarded to you.

I have made mistakes in my life, and I regretted what I have done and have already pay the price in a big way.

WHILE I have been Incarcerated, I have rehabilitated myself and is ready to move on with my life. I have accomplished a lot while incarcerated and have addressed all of my problems in which I beleive will be helpful to me, IF I am given a chance.

I beleive that all human being in life deserve a second chance, I would not abuse the PRIVELEDGE . WE human beings are bound to make mistakes, but only fools persists in error. I will be looking forward to your assistance and recommendation before the DISTRICT DIRECTOR.

ATTATCHED are copies of RECOMMENDATION.

THANKS FOR your time and consideration.

CC. Acting District Director  
FRANCES M. HOLMES

I.N.S.

RESPECTFULLY SUBMITTED.

NEVILLE RUSSELL

EXHIBIT 9

# POST ORDER CUSTODY REVIEW WORKSHEET FOR FILE REVIEW AND/OR INTERVIEW

**Detainee Name:** Neville RUSSELL **Date of Birth:** 9/21/63 **"A" Number:** A75 805 774  
**AKAs:** see NCIC printout **BOP Number:**  
**Country of Birth:** Jamaica **Citizenship:** Jamaica  
**Date of Arrival:** 7/1990 **Place of Arrival:** NYC  
**Manner of Arrival:** B-2 **Last Date into INS Custody:** 2/23/99  
**Entered INS Custody from:** ☒ Local, State, or Federal Institution  
☐ Other  
**Location:** Rikers Island **Institution Number:** 798-5497  
Queens, NY  
**Immigration History:** (Prior INS arrest[s]/parole/bond/custody information)  
Describe:

**Deportation Officer:** Joel T. Mikelson **Date of Review:** 2/12/00  
**Location Detained:** York County Prison

## Deportation/Exclusion/Removal Proceedings

**List all Charges:** ☒ Section 237 (a)(1)(B) , 237(a)(2)(B)(i)  
☐ Section 212 (a) , ,  
☐ Section 241 , ,  
☐ Under Final Order dated 3/16/99 by X IJ ☐ BIA ☐ Other  
☒ Appeal Waived/Appeal Time Elapsed

**Travel Document Status/History:** 4/19/99 TD requested from the Jamaican Consulate in NYC  
6/1/99 Follow-up letter to the Consulate in NYC  
11/3/99 TD requested through HQOPPS/DDP

EXHIBIT 10

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### Legal Representative / Attorney

G-28 Filed: ☐ Yes ☒ No

Notification of Interview Made: ☐ Yes ☐ N/A by: on:

Name of Representative / Attorney:

Mailing Address:

Telephone Number:

Present during interview: ☐ Yes ☐ No

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### Criminal History

Outside the United States: Unknown/ none claimed  
(specify nature of crime, whether convicted, sentence imposed, date, and country)

In the United States:

NCIC Checks: ☒ Criminal History Attached ☐ No record Found  
(State and Federal)

Summary of NCIC Checks: **Convictions:** 11/26/97 Disorderly Conduct (drug related), 12/24/97 Disorderly Conduct (drug related), 10/17/98 Criminal Sale of Marijuana and, 11/10/98 Criminal Possession of Marijuana **Bench Warrants Issued** 1/27/98, 2/18/98 and, 2/19/98

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### Institutional / Disciplinary Record

Did the detainee have prior Disciplinary Reports? ☐ Yes ☐ No

If Yes, List & Describe: Unknown

Source:

Disciplinary reports and Incidents while in INS Custody? ☐ Yes ☐ No

If Yes, List & Describe: Unknown



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**Specifics of Interview**

**Date of File Review:**

**Date of Detainee Interview:**

NO INTERVIEW HELD

**Location of Interview:**

**Interviewing Officer:#1:**

#2: (optional)

**Interpreter Used:** ☐ Yes

☐ No

**Name:**

**Language/Dialect:**

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**Does the detainee have a place to live in the United States?**

☐ Yes

☐ No

**Address:**

**Is the detainee subject to any parole or probation requirements?**

☐ Yes

☐ No

**Describe:**

**Does the detainee have close family ties within the United States?**

☐ Yes

☐ No

**Describe:**

**Does the detainee have any community ties or non-governmental sponsors?**

☐ Yes

☐ No

**Describe:**

**Does the detainee have any employment prospects?**

☐ Yes

☐ No

**Describe:**

**What is the detainee's employment history?**

**Describe:**

**What is the detainee's educational level?**

**Describe:**

**Does the detainee have any vocational training?**

**Describe:**

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### **Medical/Psychological Concerns**

**Medical/Psychological Report / Summary:** ☐ Attached ☒ None ☐ Not Available

**Date and Source:**

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**Other documentary evidence for consideration in this review:**

A letter from Mr. Russell dated 1/21/00

An undated letter from Diane Blacker (the Mother of Mr. Russell's child)

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### **Discussion at Interview**

**Notes:**

NO INTERVIEW HELD

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The INS detainee was found ☐ CREDIBLE ☐ NOT CREDIBLE  
**Explain:**

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### Officer Comments/Analysis & Recommendation

On review of the file I have determined that Mr. Russell has been convicted of 4 drug related crimes in 1997 and 1998. He has used at least 5 AKA's and 3 dates of birth in his dealings with law enforcement. 3 times there have been bench warrants issued for the arrest of Mr. Russell. Although I do not feel Mr. Russell would pose a danger to the community if released. I do feel he would be a flight risk. I recommend that Mr. Russell remain in Service custody. If after six months we still do not have a travel document we should revisit his releasability.


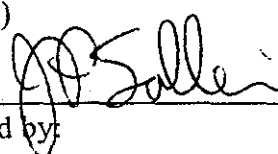
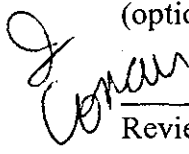


Joel T. Mikelson DO  
Interviewing Officer #1:

2/12/00  
Date:

Interviewing Officer #2:  
(optional)

                      
Date:



Reviewed by:

2/16/00  
Date:

## DISTRICT DIRECTOR'S CUSTODY DETERMINATION

- ☐ RELEASE FROM CUSTODY / ORDER OF SUPERVISION
- ☐ RELEASE FROM CUSTODY / ORDER OF SUPERVISION UNDER BOND

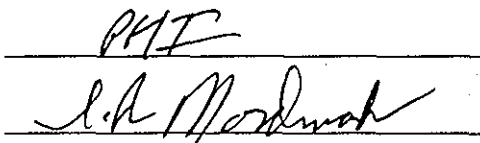
Bond Amount: \_\_\_\_\_

- ☒ CONTINUE IN CUSTODY / SCHEDULE FOR REVIEW IN SIX MONTHS

Comments (attach additional sheet(s) if necessary):

INS District Office:

Signature of District Director:

  
 THEODORE R. NORDMARK  
 ASSISTANT DISTRICT DIRECTOR  
 DETENTION AND DEPORTATION

Date: 3-10-00

## HEADQUARTER'S REVIEW OF CONTINUED DETENTION

Reviewing Officers	Concur	Reconsider	Date
_____ (Name, Title, Signature)	_____	_____	_____
_____ (Name, Title, Signature)	_____	_____	_____
_____ (Name, Title, Signature)	_____	_____	_____

For comments, please refer to the "Headquarters Post Order Custody Review" form.



U.S. Department of Justice

Immigration and Naturalization Service  
Philadelphia District

1600 Callowhill Street  
Philadelphia, PA. 19130

April 15, 2000  
A75 805 774

Neville RUSSELL  
53311  
C/O York county Prison  
3400 Concord Road  
York, PA. 17402

**DECISION TO CONTINUE DETENTION**  
**Following File Review**

This letter is to inform you that your custody status has been reviewed by the Immigration and Naturalization Service (INS) and that you will not be released at this time.

This decision was based on a review of your file record and consideration of information you submitted to INS' reviewing officials.

You were born in Jamaica on September 21, 1963. You entered the United States as a Visitor for pleasure on July 19, 1990. On January 14, 1999, removal proceedings were initiated against you because of criminal convictions in the State of New York.

On March 16, 1999, you were ordered removed to Jamaica. You reserved your right to file an appeal of the Immigration Judges decision. You never filed an appeal to the Board of Immigration Appeals, making the judges order a final order of Removal.

During the six-month removal period<sup>1</sup> directly following a final order of deportation, the Service is required to detain aliens who are subject to an order of deportation predicated on criminal convictions<sup>2</sup>. Once the removal period has expired, the Service has discretionary authority to detain aliens who are subject to a final order of deportation<sup>3</sup>.

While many factors are considered in a discretionary detention decision under Section 241(a)(6) of the Immigration and Nationality Act, 8 U.S.C. § 1231(a)(6), the most prominent factors are listed in 8 C.F.R. § 241.4. These factors are:

<sup>1</sup> Former Section 242(c) and (d) of the Immigration and Nationality Act, 8 U.S.C. § 1252 (c) and (d).

<sup>2</sup> Section 241(a)(2) of the Immigration and Nationality Act, 8 U.S.C. § 1231(a)(2)

<sup>3</sup> Section 241(a)(6) of the Immigration and Nationality Act, 8 U.S.C. § 1231(a)(6)

- (1) The nature and seriousness of the alien's criminal convictions;
- (2) Other criminal history;
- (3) Sentence(s) imposed and time actually served;
- (4) History of failures to appear for court (defaults);  
Probation history;
- (5) Disciplinary problems while incarcerated;
- (6) Evidence of rehabilitative effort or recidivism;
- (7) Equities in the United States; and
- (8) Prior immigration violations and history.

Your record reflects the following criminal history:

November 26, 1997	Convicted for the offense of Disorderly Conduct.
December 24, 1997	Convicted for the offense of Disorderly Conduct.
October 17, 1998	Convicted for the offense of Criminal Sale of Marijuana.
November 10, 1998	Convicted for the offense of Criminal Possession of Marijuana

Your record reflects you have been convicted of, and found deportable for, crimes the Immigration and Nationality Act defines as aggravated felonies.<sup>4</sup> These are crimes the United States views as particularly serious crimes. Because you are an alien who has been convicted of an aggravated felony, your immigration equities have been severely diminished.

An alien convicted of an aggravated felony is statutorily presumed to be a threat to the community and the alien bears the burden of rebutting this presumption<sup>5</sup>. The Service may consider the release of certain aliens who are deportable for criminal convictions provided the alien is able to demonstrate, by clear and convincing evidence, that he/she is not a danger to the community or a flight risk. Your convictions under the New York State Law, demonstrates you have engaged in behavior that has threatened the safety of other persons and illustrates a reckless disregard for human life.

On January 27, 1998, February 18, 1998 and, February 19, 1998, Bench Warrants were issued for your arrest.

Information relating to your disciplinary record while in the custody of The State of New York is not available for review. Your record while in Service custody in York County Prison is not available for review.

Your prior immigration violations and criminal history have been discussed above. It is a matter of record that you are an aggravated felon under a final order of deportation.

The decision to continue an alien in detention is not one the Service takes lightly. When considering a request for release, we must give the highest consideration to the potential risks to society. Any erroneous decision to release an aggravated felon could result in grave consequences for the United States public. Further, it should be clear that the scales are tipped in favor of the government's legitimate interest to protect its citizens.<sup>6</sup> In addition to court decisions, this is a requirement of both statute and regulation.<sup>7</sup>

A determination that an aggravated felon has succeeded at rebutting the statutory presumption involves a two-pronged test.<sup>8</sup> First, the aggravated felon must demonstrate by "clear and convincing evidence" that he/she is not a danger to the

<sup>4</sup> Section 101(a)(43) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(43)

<sup>5</sup> Matter of De La Cruz, Interim decision 3155 (BIA 1991).

<sup>6</sup> Schall v. Martin 467 U.S. 253, 264 (1984); United States v. Salerno, 481 U.S. 739, 749 (1987); Tran v. Caplinger, 847 F. Supp. 469, 474, 91993)

<sup>7</sup> Section 241(a)(6) of the Immigration and Nationality Act, 8 U.S.C. § 1231(a)(6) and 8 C.F.R. § 241.4.

<sup>8</sup> Matter of De La Cruz, *supra*



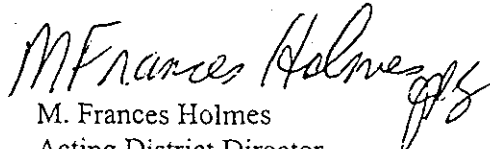
community. Second, considered only if the first prong was satisfied, the aggravated felon must demonstrate by "clear and convincing evidence" that he is not a flight risk.<sup>9</sup>

There is nothing in your record that successfully rebuts the presumption that you are a flight risk. Therefore, the Service is compelled to deny your request for release.

As previously stated, it is the policy of this office to periodically review your file to determine whether release or to continue your detention. You are invited to submit any evidence you believe may have a positive impact on any future decision.

**There is no appeal of this decision.**

The INS will conduct another review of your custody status within six months of the date of this notice. It is in your best interest to maintain proper behavior while awaiting this review. If you have any questions please contact Deportation Officer Joel Mikelson at: 3400 Concord Rd. York, PA 17402

  
M. Frances Holmes  
Acting District Director

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<sup>9</sup> Matter of Drysdale, 20 I&N Dec. 815, 817 (BIA) 1994); matter of Valdez, Interim Decision 3002 (BIA 1997); Matter of Melo, Interim Decision 3313 (BIA 1997)

MAY-01-2000 15:02

INS DISTRICT COUNSEL

215 656 7148 P.05/05

**PROOF OF SERVICE****(1) Personal Service (Officer to complete both (a) and (b) below.)**

(a) I Joel T. Mickelson AV  
 Name of INS Officer Title  
 certify that I served NOVILLE RUSSELL A75 805 774 with a copy of  
 Name of detainee  
 this document at YORK COUNTY PRISON on 4/19/00 at 0930  
 Institution Date Time

(b) I certify that I served the custodian \_\_\_\_\_  
 Name of Official  
 \_\_\_\_\_, at \_\_\_\_\_, on \_\_\_\_\_  
 Title Institution  
 \_\_\_\_\_ with a copy of this document.  
 Date

**OR****(2) Service by certified mail, return receipt. (Attach copy of receipt)**

I \_\_\_\_\_, certify \_\_\_\_\_  
 Name of INS Officer Title  
 that I served \_\_\_\_\_ and the custodian \_\_\_\_\_  
 Name of detainee Name of Official  
 with a copy of this document by certified mail at \_\_\_\_\_ on \_\_\_\_\_  
 Institution Date

- ( ) CC: Attorney of Record or Designated Representative  
 ( ) CC: A-File

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

NEVILLE M. RUSSELL,	:	
Petitioner	:	No. 1:CV-00-0536
	:	
v.	:	(Judge Kane)
	:	
IMMIGRATION AND NATURALIZATION	:	
SERVICE,	:	
Respondent	:	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

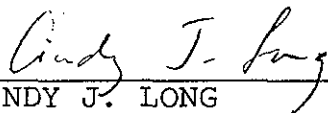
That this 8<sup>th</sup> day of May, 2000, she served a copy of the attached

RESPONDENT'S EXHIBITS IN SUPPORT  
OF ITS RESPONSE TO HABEAS CORPUS PETITION

by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

ADDRESSEE:

Neville M. Russell, 53311  
C/O York County Prison  
3400 Concord Road  
York, PA 17402

  
CINDY J. LONG  
Legal Secretary